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APR 23 2007

Remarks

1. This Amendment is responsive to the Office Action dated February 22, 2007. Claims 1-3 remain for further consideration.

2. Withdrawal of the -102 rejections is noted with gratitude.

3. The Abstract has been amended to remove "fuel" in many instances. Therefore, reconsideration and withdrawal of the objection to the Abstract is respectfully requested.

4. Claim 2 is objected to as an improper dependent claim. Enclosed is the Declaration of Robin Jay Guthrie.

Paragraph 4 of the Declaration establishes as prima facie fact that one skilled in the art would know that the stacks could be arranged air-side to air-side. Then inlet/outlet manifold of the invention would be useable to conduct oxidant. The specification, at page 5, lines 5-7 states that the inlet/outlet arrangement may be used with oxidant. Paragraph 5 of the Declaration establishes as prima facie fact that the inlet/outlet manifolds can conduct almost any gas and it would be within the skill of the art to adapt the inlet/outlet manifolds to conduct oxidant. Page 6 of the Declaration establishes as prima facie fact that no one would expect both air and fuel to flow in the inlet/outlet manifolds. Specifically, page 3 of the application refers to the air turn manifold 20 showing at the top of each stack in Fig. 1. Paragraph 7 of the Declaration specifically refers thereto and states that such an arrangement for oxidant flow in the configuration of Fig. 1 is well known in the art. Paragraph 7 of the Declaration establishes as prima facie fact that one skilled in the fuel cell and related arts would understand that the example of the inlet/outlet manifolds being used as fuel manifolds herein does not deal with how the oxidant is supplied to the fuel cells, and that would be evident to those skilled in the fuel cells and related arts. Paragraph 8 establishes as prima facie fact that the specification enables one skilled in the fuel cell and related arts to conduct any reactant gas with the inlet/outlet manifolds if the stacks are arranged with that reactant gas side's adjacent. Air is a reactant gas. For the foregoing reasons, and in view of the facts established by the Declaration, there

being no contrary evidence, reconsideration and withdrawal of the objection to claim 2 is respectfully requested.

5, 6. Claim 1 is rejected as not enabled for oxidant. As described in paragraph 4, hereinbefore, paragraphs 4-8 of the Declaration establish as prima facie fact that one skilled in the fuel cell and related arts would be enabled to use the inlet/outlet manifold for any reactant gas, whenever the stacks are arranged with the sides of that reactant gas adjacent. Therefore, and in view of the statement at page 5, lines 5-7, the specification does enable one skilled in the art to utilize the subject inlet/outlet manifold for oxidant as well as for fuel.

Therefore, reconsideration and withdrawal of the -112 rejection of claim 1 is respectfully requested.

7,8. Claims 1-3 are rejected as anticipated by Sugita et al (Sugita). However, the rejection misinterprets Sugita as is evident in paragraphs 9-15 of the Declaration.

Specifically, paragraph 9 of the Declaration establishes as prima facie fact that the fuel flow fields have folded grooves and therefore there are no turn manifolds in Sugita as required at lines 4 and 5 of claim 1.

Paragraph 10 of the Declaration establishes as prima facie fact that the fuel inlets 122a of Sugita's stacks 12, 14 are adjacent and that the fuel outlets 122b are at opposite ends of the stacks remote from each other. Paragraph 10 also establishes as prima facie fact that the fuel inlets and outlets cannot be at the same inlet/outlet manifold as called for in lines 9-15 of claim 1.

Paragraph 11 of the Declaration establishes as prima facie fact that Sugita does not disclose an inlet/outlet manifold connectable to both the reactant supply and the reactant exhaust as called for in lines 9-15 of claim 1.

Paragraph 12 of the Declaration establishes as prima facie fact that Sugita does not disclose seal plates to close off opposite sides of identical inlet/outlet manifolds as called for in lines 16-18 of claim 1.

Paragraph 13 of the Declaration establishes as prima facie fact that items 24 and 26 are not manifolds, but end plates.

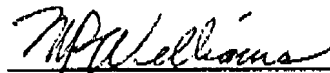
Paragraph 14 of the Declaration establishes as prima facie fact that the bracket 190 in Sugita conducts fuel to the gas inlet 122a and that there is no turn manifold behind the bracket 190.

Paragraph 15 of the Declaration establishes as prima facie fact that Sugita's brackets 202-204 cannot close off reactant flow nor seal off any manifolds because oxygen flows from the tube 206 (Fig. 16) through the brackets 204-206 to oxygen gas inlets 120a (Fig. 10) and fuel discharge passes from fuel outlets 122b through the brackets 204, 206 to fuel discharge tube 210.

Because of the prima facie facts established in paragraphs 9-15 of the Declaration, it is clear that Sugita does not disclose several parts of the combination set forth in claim 1. Therefore, Sugita cannot anticipate; reconsideration and allowance of claims 1-3 over Sugita is respectfully requested.

To save the Examiner considerable time when this case is taken up, a short phone call is recommended should any issue herein still be unresolved. A few minutes on the phone could clarify a point, or result in a supplemental response which would further limit or dispose of issues. A five minute phone call can save the Examiner a lot of work. Such a phone call would be deeply appreciated.

Respectfully submitted,



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